

Notice of Allowability

Application No.

10/723,843

Examiner

Christian A. Hannon

Applicant(s)

TERRY, JOHN DAVID

Art Unit

2618

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 3/6/2007.
2. ☒ The allowed claim(s) is/are 1-45.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO/SB/08),
Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit
of Biological Material
5. ☐ Notice of Informal Patent Application
6. ☐ Interview Summary (PTO-413),
Paper No./Mail Date _____
7. ☐ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____

REASONS FOR ALLOWANCE

1. Claims 1-45 are allowed over the cited prior art
2. The following is the examiner's statement for reasons of allowance:
3. Regarding claim 1, 14 & 31 Eriksson et al (US 6,563,891), hereinafter Eriksson, teaches a receiver (Figure 3; Eriksson) comprising a detector to acquire a wireless signal (Column 9, Lines 28-38; Eriksson) an automatic gain control to provide gain for the acquired wireless signal (Figure 3, Item 60; Eriksson) and a control unit having programmable acquisition, hold and release parameters to manage the acquisition and gain of the wireless signal based on a transmission protocol (Figure 3, Item 106/107; Column 9, Lines 44-49; Column 13, Lines 22-67; Column 14, Lines 1-32; Eriksson).
The examiner is interpreting the various modes to be synonymous with the claims language describing protocols, wherein the acquisition, hold and release, relating to a beginning, duration, and end, are inherent properties of a finite time frame in which the modes various gains are applied. Furthermore it is noted that claims 14 & 31's system and respective method read analogous to claim 1, and are therefore rejected on the same grounds. However Eriksson fails to teach wherein the control unit is adapted to use the programmable acquisition parameter for use in attaching and locking onto an incoming signal, the programmable hold parameter for use in maintaining sensitivity for the incoming signal at a relatively constant level, and the programmable release parameter for use in increasing the sensitivity to detect a subsequent incoming signal and wherein the control unit is adapted to use the programmable acquisition, hold and release parameters for the transmission protocol to anticipate intermittent wireless

transmissions in the communication session and manage the acquisition and gain accounting for the anticipated intermittent wireless transmissions.

Claims 2-13 are allowed as they depend from claim 1.

Claims 15-30 are allowed as they depend from claim 14.

Claims 32-45 are allowed as they depend from claim 31.

4. Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and to avoid processing delays should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on t Statement of Reasons for Allowance."

Conclusion

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Christian A. Hannon whose telephone number is (571) 272-7385. The examiner can normally be reached on Mon. - Fri. 8:00 AM - 4:30 PM.


If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ed Urban can be reached on (571) 272-7899. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.



C. A. Hannon
August 2, 2007



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